

as you can. Now once in a while there is a reason to bracket, I suppose, if some particular group of people or institution is caught off guard and hasn't had a chance to really consider an issue, or hasn't had a chance to make its compromises on an issue. But that can't be said of the insurance industry on this particular bill. Year after year now for several years they have known of the concern of a large segment of this body about prejudgment interest. They have made no move to do anything significant that I can remember to settle the question. They have had plenty of time this year to deal with the question and they have not done so. They have gone out now and hired another lobbyist but not for the purpose of coming to grips with the issue, for the purpose of obtaining delay. If you are against the bill, of course, you should be for the motion to bracket. But if you are for the bill and if you think something should be done, then I suggest to you that you continue right ahead with the bill. And if they have any creative suggestions left, they will be forthcoming before Final Reading. You can't tell me that an industry, that can afford to hire the lobbyist that it has hired, can't afford to get together a group of high powered lawyers and lobbyists and come up with a creative solution before Final Reading if there are any to be suggested to this body. So although bracketing may be an appropriate motion in certain cases, I think its intent and purpose is quite clear here and that intent and purpose is delay and that is not appropriate. Thank you, Mr. Speaker.

SPEAKER NICHOL: Senator Hoagland.

SENATOR HOAGLAND: Mr. Speaker and colleagues, I also rise in opposition to this attempt to delay this bill. My good friend, Emil, when he introduced the motion said that we are close to working it out and why didn't we wait until next January. Well, if we are close to working it out, let's work it out. We have certainly been trying for several weeks now to do that and none of the offers that have been made by the industry have even been close to accomplishing the purpose of the bill, indeed later this morning if this bill is not bracketed, there will be an amendment offered which basically delegates to the court with the burden of proof on the plaintiff the responsibility of awarding prejudgment interest, and that amendment cuts the heart out of the bill. It cuts the heart out of the bill. It is no more a compromise or as Senator Beutler would say, an